

JAN 28 2005

TODD HATHAWAY, ATTORNEY AT LAW, P.S.

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
EXAMINER YVONNE HORTON	Heather Olson, Legal Assistant
COMPANY:	DATE:
USPTO	28 January 2005
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
703-872-9306	3
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
703-308-1909	P3223 (Alumet - Wally Peterson, Inventor)
RE:	YOUR REFERENCE NUMBER:
Application S.N. 10/683,804	Office Action Summary dated 11/23/2004

Dear Examiner Horton:

Attached is a copy of the Office Action Summary issued on 11/23/2004. Box 10 is checked, however, it is not clear whether or not the drawings filed on 10 October 2003 are accepted.

Please transmit your response regarding the acceptance of those drawings to me as soon as possible (telephone number: 360-647-1976; fax number: 360-647-4530; e-mail address: heather@hathlaw.com).

Thank you for your assistance.

Sincerely,

Heather M. Olson
Legal Assistant to Todd N. Hathaway

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BELLINGHAM, WA 98225-4437
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Office Action Summary

Application No.

10/683,804

Applicant(s)

PETERSON, WALLACE H. *SH*

Examiner

Yvonne M. Horton

Art Unit

3635

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 October 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2/28/04</u> | 6) <input type="checkbox"/> Other: _____ |

U.S. Patent and Trademark Office
 PTOL-326 (Rev. 1-04)

Office Action Summary

Part of Paper No./Mail Date 20041115

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Jan-28-05 09:48A

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P.03

Id: 2481 () 9:01a Th Jan-27 Page: 1

In: 4:33a Th Jan-27 '05 JN 194
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1-27-05 - LM for Ex. H. -- are drawings
accepted or objected to? Y or N?